IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Bail Appl..No. 723 of 2007()

AGAINST THE ORDER DATED 01/02/2007 IN ORDER IN
CMP.559/2007 of J.M.F.C.,KASARAGOD
CRIME NO.15/2007 OF ADHUR POLICE STATION

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: PETITIONERS/ACCUSED

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1. JOY MATHEW, AGED 63 YEARS,
S/O.MAHTEW, PANNADUKKAM RIVER VIEW ESTATE,
MULIYAR VILLAGE & POST, KASARAGODE.

2. SHAJI SEBASTIAN, AGED 40 YEARS,
S/O.JOY MATHEW, PANNADUKKAM RIVER VIEW ESTATE,
MULIYAR VILLAGE & POST, KASARAGODE.

BY ADV. SRI.BECHU KURIAN THOMAS

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM (THROUGH SUB INSPECTOR OF POLICE,
ADHUR POLICE STATION, KASARGODE).

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 723 OF 2007 A

Dated this the 7th day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners, who are accused Nos.1 and 2 in Crime No.15/2007 of Adhur Police Station for offences punishable under Sections 308, 427 and 452 read with section 34 I.P.C., seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Kasaragod and subject to the following conditions:

a. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

c. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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